

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

BABY BEAN PRODUCTIONS LLC,

Plaintiff,

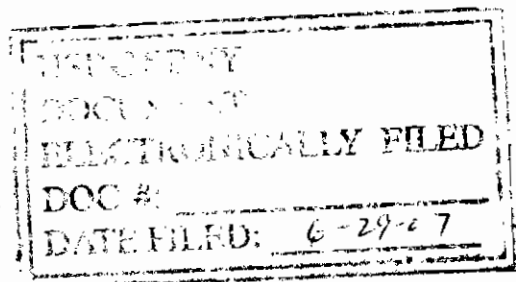
v.

DC SHOES INC.,

Defendant.

Civil Action No. 07-CV-3616 (MGC)

NOTICE OF MOTION



PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law dated June 7, 2007, and upon all prior proceedings heretofore had herein, the defendant DC Shoes Inc. shall move this Court pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, before the Honorable Miriam Goldman Cedarbaum, at 500 Pearl Street, Courtroom 14A, New York, New York 10007, on July 5, 2007 at 9:30 a.m., for an order dismissing the Second Count of plaintiff's First Amended Complaint dated May 9, 2007 for failure to state a claim upon which relief may be granted.

Claim withdrawn. Accordingly, motion denied as moot.

*So ordered,
June 28, 2007*

S/ United States District Judge